

WV Developmental Disabilities Council
John XXIII Pastoral Center
Charleston, WV
October 22, 2002

Members Present: Laura Helems, Jim Plitt, Jerri Stephens, Kevin Smith, Richard Merryman, John Hunneshagen, Bob Peck, Christy Bishop, James Qualls, Kelly Kirk, Michael Sharley, Jeannie Elkins, Ken Kennedy, Robin Ayers, Bobby Reynolds, Mary Ellen Zeppuhar, Ed.D., Libby Nester, Jeanne Grubb, Cheryl Vega, Karen Davis, Frank Kirkland, Pat Moss

Members Absent: Luann Decker, Andrea Workman, Tim Derico, Debrin Jenkins, Dee Bodkins, Ed.D., Ophelia Coats, Rosanna Hohman

Staff Present: Steve Wiseman, Jan Lilly-Stewart, Jim Cremeans, Betsy Southall

Guests: Debbie Mitchem, Program Director of WV Advocates and Jackie Chellew, Coordinator of Mental Health Planning Council

Welcome, Introduction and Announcements

The meeting was called to order at 9:40 am by Laura Helems, Chairperson

Laura announced that Ann Burds, formerly of the Office of Social Services, has accepted a position with the Administration on Children and Families and has relocated to Kansas City, MO. She announced that Bobby Reynolds is the new designee for BoSS. She introduced visitor, Jackie Chellew, Coordinator of the Mental Health Planning Council.

Members of the Council and guests introduced themselves.

Laura announced the resignations of Peter Triplett and Jim Farrar.

Richard Merryman announced that he is switching service providers from EPTC to Stepping Stones. His last day with EPTC will be October 31, 2002.

Kevin Smith announced that he obtained a job at Arby's in Vienna. He said that when a counselor with Division of Rehabilitation Services told him that they would be unable to place him in a job in the community, he went to the local Arby's and discussed his qualifications with the manager. He was hired.

Laura announced the 2003 meeting schedule, outlined in the Member packets. She stated that the Executive Committee decided that, in light of budget constraints, meetings should be scheduled in the less expensive locations of the State.

Laura read the Mission Statement.

Approval of the July 16, 2002 Minutes:

Kevin moved and Robin seconded a motion to accept the Minutes as presented.

Motion carried.

Old Business

Budget/State Plan Update

Laura announced that the Council had received a letter from Congressman Mollohan, who is on the House Appropriations Committee. She said there is still a lot up in the air about the resolution to the budget cuts, but the fact that he responded was significant.

Steve stated that there has been no change to the budget crisis. He reported that the Federal Government is in a lame duck status as of October 1st. He stated that it is imperative that the Council continue to be diligent in informing elected officials about the cuts, and how the "hold harmless" provisions must be restored.

He announced that the Federal Government has approved the State Plan revisions. He stated the Feds were interested in seeing the Council expand its support of self - advocacy efforts.

Jim reviewed the new work plan chart, including current projects, future projects and strategies to meeting Council goals. He asked the Council for ideas on strategies/projects to help meet the goals.

Steve reviewed a letter co-signed by other developmental disabilities councils across the country. The letter requested that states that received money as a result of the reallocation be allowed to keep the money, and that money be restored to those states that lost money. Senator Rockefeller's office has asked Steve to help them in coming up with a new formula for Council money distribution.

Laura stated that WV took the biggest proportional allocation cut even though it has the largest percentage of people with developmental disabilities. A brief discussion ensued.

Cheryl stated that there was no congressional representation on the House Committee on Energy and Commerce which is responsible for reinstating the hold harmless clause. She suggested that Council members contact friends and relatives in states with congressional representation and ask them to send a letter to ask that they reinstate the hold harmless clause.

Inclusion Awards

Jeannie Elkins gave an overview of the progress of the Inclusion Award project. She said that the Education Committee received more than 50 nominations from 30 counties.

They have conducted onsite visits at those schools, which scored well on the evaluation form. The individual award will go to two co-teachers at Kanawha City Elementary.

Jeannie said that the committee discussed the possibility of having four inclusion awards—one for each level of education, plus the individual award. She asked for Council guidance for monetary awards. The initial letter stated that up to \$1000.00 was available for award winners.

A discussion took place concerning monetary awards.

Cheryl suggested budgeting money specifically for the inclusion awards to promote competition among schools. Jerri stated that it would be important for schools to pursue the award for certification/licensing purposes.

Jeannie moved and Kevin seconded a motion that the Council make up to four \$1000.00 awards to inclusive programs and send Honorable Mentions and/or Certificates of Appreciation to each nominee.

Motion carried.

Retreat Update

Steve gave an update on the goals set forth by the Council at the July 2001 retreat. The Council has made progress in meeting the following:

- Restating the mission statement
- Strengthened orientation
- Using internet more effectively
- Increasing accessibility of Council website
- Moving meetings to different areas of the state
- Posting new surveys and interactive forms on website
- Establishing a Memorandum of Agreement with UCED
- Taking initiative to develop advocacy collaborations

Betsy gave an overview of the new resource posters being developed. Robin recommended that the WV School for the Deaf and Blind be added to the Children's poster.

Olmstead Update/Behavioral Health Redesign

Steve gave an update on the implementation of the Olmstead Supreme Court decision. The decision stated that individuals have a right to live in the most integrated environment possible. He reiterated the frustration felt by the advocacy community at the slow implementation of the plan by the State of WV. He stated that he is finally getting reports from BHHF regarding people in State run long-term care facilities. He said that there is nothing definitive being done to implement the plan on a significant basis. He

asked the Council to be diligent in their advocacy efforts to push for the implementation of the Olmstead decision.

Steve stated that Commissioner Loverien has initiated a plan to restructure the behavioral health system. He has stated that his focus is on individuals, families and communities. He is working to move the system from a provider driven to an individual driven system. Steve raised serious concerns with the fact that individuals, families and stakeholders are not included in the decision making process. There are five workgroups that will advise the DHHR decision makers. The Council will suggest individuals to participate in these workgroups. He asked Council members with a particular interest in a focus area to let him know if they would be willing to participate in a workgroup.

A/D Waiver Revisions

Bobby Reynolds gave an overview of the A/D Waiver Manual revisions and the comment period. She said it will go to BMS for their review. She stated that the advocacy community, clients and service providers would be invited to a meeting on November 8, 2002 at 11:00 am at the Rehabilitation Center auditorium. She said that the new manual changes would be unveiled at this meeting. The manual would be available on-line and will be made available to anyone who calls.

She stated that there would be changes in the grievance procedures and briefly addressed concerns with community activities in the manual.

Kevin began a discussion about BoSS's definition of "community involvement." He stated the "community" extended well beyond grocery stores, and people need and want to participate in their communities. Bobby stated that she was striving to leave the definition open in the manual revision, although she could not commit to these changes, and a discussion ensued.

Karen stated that not everything can be planned such as a death (funeral activities), and a discussion began as to how activities would fit into a "plan of care."

Steve asked if BoSS would look at unneeded or unwanted services being provided in the new self-directed plan. She said that it would be up to the client to decide what services they need or want.

Laura gave an overview of the Council recommendations on the A/D Waiver which are outlined in the Council packets.

MR/DD Waiver Update

Jim Plitt reported that there are more than 140 people on a waiting list for the Waiver. BMS has asked for a 600 slot improvement package from the Legislature for July 1, 2003. BMS is still looking at strategies for dealing with the waiting list in the interim. Frank stated that there are several new MR/DD Waiver staff members to assist in the implementation of the new review process. He stated that Centers for Medicare and Medicaid Services is changing the way services are reviewed.

Mary Ellen asked about a class action lawsuit challenging the waiting list. Jim P. stated that he had not heard about it. Frank stated that the parties had been identified and BMS attorneys will be getting in contact with the parties involved. A discussion ensued.

Steve expressed concerns that there has not been any action on finalizing a new quality assurance program. He also reiterated the importance of redesigning the whole system to be more individualized.

New Business

FFY 2003 Work Plan

Jim C. encouraged members to review the revised work plan that was distributed at the beginning of the meeting.

Legislative Priorities

Jan gave an overview of the suggested legislative priorities for the 2003 legislative session outlined in the Council packets.

Laura stated that the Council received a request to sign a petition to increase tobacco taxes. She stated that the Executive Committee discussed the issue at length, and decided that the Council would make a general statement regarding health issues, but would not sign on to petitions and resolutions. Jan reiterated that the legislation is separate from the petition.

Kevin stated that the Council should support legislation to keep doctors in the State.

Jan stated that she would like to include generic statements about all areas of emphasis in addition to the actual priorities. Steve said that the committees could help in the development of these statements. Pat suggested wording the statements as guidance and encouragement for legislators to work towards specific goals. She also suggested wording the priority to support increased revenues for health care from additional taxes on issues involving health and safety (for example: increased tobacco taxes).

Ken suggested also including a position against decreasing funding in the budget for supported employment.

Karen moved and Kevin Smith motioned to accept the priorities as amended.

James Qualls suggested including a clause about bullying in the hate crimes priority. Jan stated that she thought that a bullying bill sponsored by the Department of Education was passed in the 2002 Session.

Motioned carried. (Jim, Pat and Frank abstained.)

Partnerships with DHHR – Secretary Nusbaum

Secretary Nusbaum gave an overview of his background and philosophy towards his work in State government. He stated that the Council is the expert in developmental disability issues and is an important source of guidance and information to the Department. He gave a brief overview of his proposed system redesign from a “service centered system” to a “community centered system.”

He stated that he would not interfere with the operation of the Council in pursuit of its mission. He encouraged members to keep the lines of communication open and work together with DHHR to achieve common goals. He stated that if the Department does not find a new money source, there will be 10% cuts that will affect important programs.

Jeannie asked the Secretary if he would meet with consultant Dohn Hoyle from Michigan who will be in town for a Fair Shake meeting November 12-13, 2002. He stated that he would be willing to meet if his role is necessary, but he reiterated that Jerry Lovrien is in charge of the system.

National Core Indicators Project

Laura gave an overview of a presentation given by Cindy Beane, Specialist in the DD Division, at the Executive Committee regarding the Core Indicators Project which was funded by the Council last year.

Frank asked the Council to continue its support both financially and in staff participation on a steering committee.

Jim C. stated that some of the problems that occurred last year were a result of the delayed start of the project. The Systems Coordination Committee’s recommendation was to wait until the report was released at the end of the month to see if the continuation of the project would be helpful.

Laura stated that she did not expect the first year report to be particularly helpful and that the results would not be a reliable tool in assessing the usefulness of the project. Cheryl stated that the first year of projects is almost always a necessary evil.

Laura stated that, due to budgetary constraints, the Council could not commit to \$20,000 like last year, but would like to see the Council invest some money. The information from the project could fulfill significant requirements outlined in the Council plan.

Steve stated that he supported the project and the Council budget would be able to support up to \$10,000.

Steve stated that the balance of Council funds that was not spent last year was redistributed to other projects due to the budget cuts.

Jackie Chellew gave a brief overview of the consumer satisfaction survey process used in the mental health system.

Kevin moved and Robin seconded a motion to allot \$8,000 to the project and grant the Executive Committee the authority to grant an additional \$2,000 dollars if needed.

Motion carried. (Frank abstained.)

Membership Policy Proposed Change

Laura gave an overview of the proposed changes to the Membership Policy specific to the representative to Higher Education previously sent to members and outlined in the Council packets. The position on the Council would have a two year (renewable) term limit.

Frank moved and Robin seconded a motion to accept the proposed changes.

Motion carried.

Other Business
Nomination Committee

Laura announced that John Hunneshagen, Jeanne Grubb and Jerri Stephens would participate on the Nomination Committee. Jeanne Grubb will chair the committee.

The committee will bring forth a nomination for a person to fill the Higher Education vacancy at the January meeting. Likewise, it will begin the process to fill vacancies that will occur July 2003.

Steve asked the Council for any recommendations for the Higher Education position.

Council Size

Steve gave an overview to the proposed change to the size of the Council. He stated that there are 34 members currently with 62% with individuals with developmental disabilities or family members. The Executive Committee recommends reducing the Council size to 32 with 63% representation from individuals with developmental disabilities or family members.

Laura said that there were several individuals whose terms were expiring, two of which could not be nominated again. She instructed the Nominating Committee to make a recommendation for the Higher Education position by the January 2003 meeting. She said that nominations for new Council members, whose terms would begin July 1st, should be made by April.

Based on a consensus of opinion by Council members, it was agreed that draft changes to the By Laws and Policies would be distributed to members more than 30 days before the next meeting.

Thanks

Laura thanked Dee Bodkins for securing four Department of Education scholarships for the PIP program. She also thanked Pat Moss for securing Office of Maternal, Child and Family Health funds to continue the "Parents as Trainers" program at Marshall University Medical School after DD Council funding ended.

Consumer Satisfaction Survey

Jim C. gave a brief overview of the new Consumer Satisfaction Survey, which is now required for reporting purposes.

Council Satisfaction Survey

Laura reviewed the new Council Meeting Satisfaction Survey in the meeting packets. The survey will be used to assess the quality of the quarterly Council meetings. The results of the surveys will be shared with members.

Announcements

Laura announced that she, Steve and Cheryl are going to the National DD Councils' Conference in Pt. Clear, Alabama in November.

Steve reported that he and Cheryl met with Arla Ralston about getting the "On the Outside" program started in Jr. High classrooms.

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James thanked the Council for sponsoring his trip to a self-advocacy conference in Buffalo, NY.

Jan announced that James received the John Lipscomb Advocacy Award at the 2002 Disability Caucus.

Jeannie announced a Fair Shake Leadership Training on November 19-20, 2002 at Stonewall Jackson resort. Registration is limited and the deadline is October 25, 2002.

James shared a recent news article speaking against hate crimes legislation.

Steve reviewed numerous recent newspaper articles against inclusive practices in schools, and reminded the Council that it needs to be diligent in pushing its position for inclusion. Jeannie suggested the Council take definitive action and agreed to take the matter up with the Education Committee, and perhaps couple something with the Inclusion Award.

Mary Ellen reported that UCED received a large grant for training on the use of assistive technology in higher education.

Adjournment

Kevin moved and James seconded a motion to adjourn.

Motion carried.

The meeting was adjourned at 3:41pm

**Next Meeting: January 28, 2003
 Erickson Alumni Center
 Institute, WV**